



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mishra, et al.
Serial No.: 09/580,519
Filing Date: May 25, 2000
Group Art Unit: 2734
Examiner: Rudolf f. Huettler
Title:

**ELEMENT MANAGEMENT SYSTEM WITH
DYNAMIC DATABASE UPDATES BASED ON
PARSED SNOOPING**

RECEIVED**MAR 02 2004****Technology Center 2100**

DECLARATION PURSUANT TO 37 C.F.R. § 1.131

I, the undersigned, hereby declare and state that:

1. I am over the age of 21 years, of sound mind, and competent in all respects to make this Declaration.

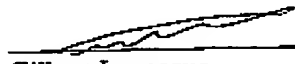
2. I am a joint-inventor of the subject matter of the above-referenced patent application, entitled *Element Management System with Dynamic Database Updates Based on Parsed Snooping*, filed on May 25, 2000 (the "Application").

3. The Examiner rejected Claims 1-11 (the "Claims") of the Application in an Office Action mailed August 29, 2003, based on U.S. Patent No. 6,512,824, to Hsieh ("the '824 Patent").

4. I developed an understanding and appreciation of the subject matter of the Claims prior to August 10, 1998. As an example, prior to August 10, 1998, I co-authored an approximately four hundred and seventy-eight page document, entitled "*FENICS 1.0 Functional Requirments Specification*" ("*FENICS FRS*"), which addresses aspects of the subject matter of the Claims. An excerpt from the *FENICS FRS* that includes pages 65-81, 123-128, 171-174, and 222-223 is attached hereto as Exhibit A. Furthermore, beginning prior to August 10, 1998, I worked diligently to reduce the subject matter of the Claims to practice, until the subject matter of the Claims was reduced to practice.

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true. Further, I declare that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the Application or any patent issuing thereon.

Signed this 24th day of February, 2004.



Gilbert Levesque